

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

RICKY EARL STEWART,

Plaintiff,

VS.

**ETOWAH COUNTY
DETENTION CENTER,**

Defendant.

Case No. 4:09-cv-00036-JEO

ORDER

In accordance with the Memorandum of Opinion entered contemporaneously herewith, it is ORDERED, ADJUDGED, and DECREED that the plaintiff's claims are DISMISSED pursuant to 28 U.S.C. § 1915A(b)(1) and/or (2), with the EXCEPTION of his Eighth Amendment conditions of confinement claims against Defendants Entrekin and Hassell.

DONE and ORDERED this 31st day of July, 2009.

Lynwood Smith

United States District Judge